

ASSEMBLY, No. 1961

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman SERENA DIMASO

District 13 (Monmouth)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

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District 7 (Burlington)

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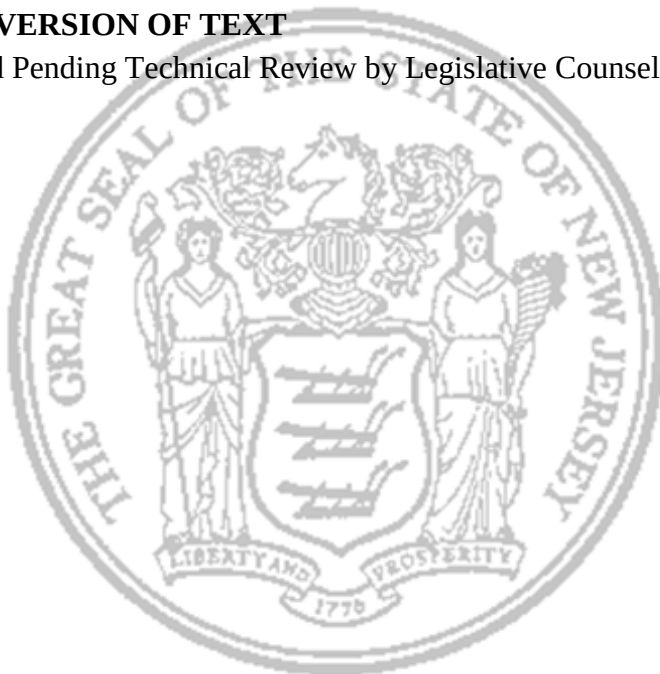
Assemblywoman Timberlake

SYNOPSIS

“Madalyn’s Law”; requires school districts to incorporate age-appropriate instruction on toxic shock syndrome and requires installation of signage in certain women’s rooms to enhance public awareness of toxic shock syndrome.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 10/19/2020)

1 **AN ACT** concerning toxic shock syndrome and supplementing Title
2 18A of the New Jersey Statutes and Title 26 of the Revised
3 Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. This act shall be known and may be cited as “Madalyn’s
9 Law.”

10
11 2. Beginning with the 2020-2021 school year, each school
12 district shall incorporate instruction on toxic shock syndrome in
13 grades 4 through 12 as part of the district’s implementation of the
14 New Jersey Student Learning Standards for Comprehensive Health
15 and Physical Education. The instruction shall include information
16 on the causes and symptoms of toxic shock syndrome and the ways
17 in which a student may reduce the risk for developing the
18 syndrome. The Commissioner of Education shall provide school
19 districts with age-appropriate sample learning activities and
20 resources designed to implement this requirement.

21
22 3. a. The owner of a group A or M occupancy that maintains a
23 restroom that is open to the public and available for use by women,
24 and that includes two or more toilets, shall ensure the installation
25 and maintenance of a sign in the restroom alerting women to the
26 warning signs, causes, and dangers of toxic shock syndrome. The
27 sign shall be installed on or before the first day of the sixth month
28 next following the adoption of rules and regulations pursuant to
29 subsection c. of this section.

30 b. The owner of a group A or M occupancy who violates the
31 provisions of this section shall be liable for a penalty of not more
32 than \$100 for each violation to be collected in a summary
33 proceeding pursuant to the "Penalty Enforcement Law of 1999,"
34 P.L.1999, c.274 (C.2A:58-10 et seq.). The municipal court and the
35 Superior Court shall have jurisdiction of proceedings for the
36 enforcement of the penalties provided by this subsection.

37 c. The Commissioner of Health shall promulgate rules and
38 regulations pursuant to the “Administrative Procedure Act,”
39 P.L.1968, c.410 (C.52:14B-1 et seq.), in order to effectuate the
40 purposes of this section. The rules and regulations shall include,
41 but not be limited to, standards for the placement, appearance, and
42 wording of the required signage, and the frequency and criteria of
43 public access that shall cause a space to be designated as open to
44 the public.

45 d. As used in this section, “group A or M occupancy” means an
46 Assembly Group A occupancy or a Mercantile Group M occupancy,
47 as defined in chapter 3 of the 2015 New Jersey International

1 Building Code or its successor, with the exception of an occupancy
2 located within an elementary school that does not include grades
3 above grade 5.

4
5 4. The Commissioner of Health shall prepare and make
6 available on the Internet website of the Department of Health
7 informational literature concerning the signs, causes, and dangers of
8 toxic shock syndrome.

9
10 5. This act shall take effect immediately.

11
12
13 STATEMENT

14
15 This bill requires each school district, beginning in the 2020-
16 2021 school year, to incorporate instruction on toxic shock
17 syndrome in grades 4 through 12 as part of the district's
18 implementation of the New Jersey Student Learning Standards for
19 Comprehensive Health and Physical Education. The bill directs the
20 Commissioner of Education to provide school districts with age-
21 appropriate sample learning activities and resources designed to
22 implement this requirement.

23 This bill would also require the owner of a group A or M
24 occupancy, that maintains a public restroom available for use by
25 women, to ensure the installation and maintenance of a sign in the
26 restroom alerting women to the warning signs, causes, and dangers
27 of toxic shock syndrome. This requirement would only apply to
28 restrooms that include two or more toilets.

29 The bill would require the Department of Health to adopt rules
30 and regulations to effectuate the purposes of the bill. The bill
31 would require the toxic shock syndrome signs to be installed in the
32 necessary restrooms on or before the first day of the sixth month
33 following the adoption of rules and regulations by the department.
34 Failure to comply with the provisions of this bill would result in
35 liability for a penalty of not more than \$100 for each violation.

36 Under the bill, "group A or M occupancy" means an Assembly
37 Group A occupancy or a Mercantile Group M occupancy, as
38 defined in chapter 3 of the 2015 New Jersey International Building
39 Code. Under the bill, locations within elementary schools that do
40 not include grades above grade 5 are excluded from the "group A or
41 M occupancy" definition.

42 This bill is intended to enhance public awareness of toxic shock
43 syndrome, a potentially serious illness that can develop quickly.
44 Anyone can contract toxic shock syndrome, but women using
45 tampons and similar devices have a higher risk. Early symptoms
46 may include a low fever, muscle aches, chills, fatigue, and

1 headaches. As toxic shock syndrome progresses, symptoms may
2 include a high fever, vomiting, rashes, redness of the eyes, lips and
3 tongue, low blood pressure, and mental confusion. Toxic shock
4 syndrome is generally treated with antibiotics.

5 Additionally, the bill directs the Department of Health to prepare
6 and make available on its website informational literature
7 concerning the signs, causes, and dangers of toxic shock syndrome.

8 This bill is named in honor of Madalyn “Maddy” Massabni, who
9 tragically passed away on March 30, 2017 just days after
10 contracting Toxic Shock Syndrome. Maddy was a 2016 graduate of
11 Rumson-Fair Haven Regional High School and was just beginning
12 her academic career at Lynn University in Florida.